



General Assembly

Substitute Bill No. 6948

January Session, 2001

AN ACT CONCERNING LOANS TO CRIME VICTIMS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 54-210 of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 (a) The Office of Victim Services or a victim compensation
4 commissioner may order the payment of compensation under this
5 chapter for: (1) Expenses actually and reasonably incurred as a result
6 of the personal injury or death of the victim, provided coverage for the
7 cost of medical care and treatment of a crime victim who does not have
8 medical insurance or who has exhausted coverage under applicable
9 health insurance policies or Medicaid shall be ordered; (2) loss of
10 earning power as a result of total or partial incapacity of such victim;
11 (3) pecuniary loss to the spouse or dependents of the deceased victim,
12 including [zero to one per cent] loans of up to one hundred thousand
13 dollars, [with repayment beginning five years from the date the loan
14 was awarded,] provided the [family] spouse or dependents of the
15 deceased victim qualifies for compensation as a result of murder or
16 manslaughter of the victim; (4) pecuniary loss to the relatives or
17 dependents of a deceased victim for attendance at court proceedings
18 with respect to the criminal case of the person or persons charged with
19 committing the crime that resulted in the death of the victim; and (5)
20 any other loss, except as set forth in section 54-211, resulting from the
21 personal injury or death of the victim which the Office of Victim

22 Services or a victim compensation commissioner, as the case may be,
23 determines to be reasonable. At the discretion of said office or victim
24 compensation commissioner, there shall be one hundred dollars
25 deductible from the total amount determined by said office or victim
26 compensation commissioner. Loan funds awarded under subdivision
27 (3) of this subsection shall be used to pay for essential living expenses,
28 directly resulting from the loss of income provided by the deceased
29 victim, or preexisting financial obligations that are not otherwise
30 forgiven or excused, unless the applicant is a survivor of multiple
31 homicide victims who has received the maximum compensation
32 allowed under section 54-211, as amended by this act, for any claim
33 made under section 54-208. The loan applications of the spouse or
34 dependents of a deceased victim, as provided in subdivision (3) of this
35 subsection, shall be considered derivative of the claim of such victim
36 and the total loan funds awarded for all loan applications arising from
37 the death of such victim shall not exceed the maximum set forth in
38 subsection (d) of section 54-211, as amended by this act. The Office of
39 the Chief Court Administrator shall establish criteria, procedures and
40 forms for the application and repayment of such loans.

41 (b) Payment of compensation under this chapter may be made to a
42 person who is a recipient of public assistance, state-administered
43 general assistance or general assistance for necessary and reasonable
44 expenses related to injuries resulting from a crime and not provided
45 for by the income assistance program in which such person is a
46 participant. Unless required by federal law, no such payment shall be
47 considered an asset for purposes of eligibility for such assistance.

48 Sec. 2. Subsection (d) of section 54-211 of the general statutes is
49 repealed and the following is substituted in lieu thereof:

50 (d) No compensation shall be awarded for the first hundred dollars
51 of injury sustained and no such compensation shall be in an amount in
52 excess of fifteen thousand dollars except that such compensation to or
53 for the benefit of the dependents of a homicide victim shall be in an
54 amount not to exceed twenty-five thousand dollars. The claims of the

55 dependents of a deceased victim, as provided in section 54-208, shall
56 be considered derivative of the claim of such victim and the total
57 compensation paid for all claims arising from the death of such victim
58 shall not exceed a maximum of twenty-five thousand dollars. The loan
59 applications of the spouse or dependents of a deceased victim, as
60 provided in subdivision (3) of subsection (a) of section 54-210, as
61 amended by this act, shall be considered derivative of the claim of such
62 victim and the total loan funds awarded for all loan applications
63 arising from the death of such victim shall not exceed a maximum of
64 one hundred thousand dollars.

JUD *Joint Favorable Subst.*